

**SUMMARIES
OF
GENERAL LAWS ENACTED AND
CONSTITUTIONAL AMENDMENTS PROPOSED
BY THE LEGISLATURE OF ALABAMA
AT THE
REGULAR SESSION 2008
FEBRUARY 5 TO MAY 19, 2008
AND THE
FIRST SPECIAL SESSION 2008
MAY 27 TO MAY 31, 2008**

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Act 2008-79, SB161, continues the existence and functioning of the Real Estate Appraisers Board pursuant to the Alabama Sunset Law. The act also amends Section 34-27A-7, Code of Alabama 1975, to require applicants for licensure to be legally present in the state.

EFFECTIVE DATE: April 1, 2008.

Act 2008-80, SB163, continues the existence and functioning of the State Board of Registration for Interior Design pursuant to the Alabama Sunset Law.

EFFECTIVE DATE: April 1, 2008.

Act 2008-81, SB181, continues the existence and functioning of the State Board of Auctioneers pursuant to the Alabama Sunset Law. The act also amends Section 34-4-21, Code of Alabama 1975, to require applicants for licensure to be legally present in the state.

EFFECTIVE DATE: April 1, 2008.

Act 2008-82, SB89, amends Section 12-17-20, Code of Alabama 1975, relating to circuit court judges, to provide residency requirements for candidates for circuit court judge in the 19th Judicial Circuit.

EFFECTIVE DATE: July 1, 2008.

Act 2008-84, HB380, proposes an amendment to the Constitution of Alabama of 1901, pertaining only to Mobile County, to authorize the Legislature by local law to establish a procedure for determining and for humanely destroying dangerous dogs in unincorporated areas of the county and to impose criminal penalties on the owners of dogs declared to be dangerous.

EFFECTIVE DATE: Contingent upon ratification.

Act 2008-85, HB88, requires that the water and sewer board in a Class 2 municipality have the same number of members as the governing body of the municipality.

EFFECTIVE DATE: April 8, 2008.

Act 2008-90, SB165, continues the existence and functioning of the Alcoholic Beverage Control Board pursuant to the Alabama Sunset Law. The act also amends Section 28-3-168, Code of Alabama 1975, to require applicants for licensure to be United States citizens or legally present in the state.

EFFECTIVE DATE: April 8, 2008.

Act 2008-91, SB172, continues the existence and functioning of the Board of Funeral Service pursuant to the Alabama Sunset Law. The act also amends Sections 34-13-51, 34-13-72, and 34-13-92, Code of Alabama 1975, to require applicants for licensure to be United States citizens or legally present in the state.

EFFECTIVE DATE: April 8, 2008.

Act 2008-92, SB173, continues the existence and functioning of the Pilotage Commission pursuant to the Alabama Sunset Law. The act also amends Section 34-4-34, Code of Alabama 1975, to require applicants for licensure to be United States citizens or legally present in the state.
EFFECTIVE DATE: April 8, 2008.

Act 2008-93, SB180, continues the existence and functioning of the Securities Commission pursuant to the Alabama Sunset Law.
EFFECTIVE DATE: April 8, 2008.

Act 2008-94, SB195, continues the existence and functioning of the Electronic Security Board of Licensure pursuant to the Alabama Sunset Law. The act also amends Sections 34-1A-2 and 34-1A-3, Code of Alabama 1975, to require applicants for licensure to be United States citizens or legally present in the state.
EFFECTIVE DATE: April 8, 2008.

Act 2008-124, HB497, proposes an amendment to Amendment 633 to the Constitution of Alabama of 1901 (Section 5, Coffee County, Local Amendments, Official Recompilation of the Constitution of Alabama of 1901, as amended), pertaining only to Coffee County, to allow the sheriff to participate in the State Employees' Retirement System.
EFFECTIVE DATE: Contingent upon ratification.

Act 2008-128, SB162, continues the existence and functioning of the Liquefied Petroleum Gas Board pursuant to the Alabama Sunset Law. The act also amends Section 9-17-105, Code of Alabama 1975, to require applicants for licensure to be United States citizens or legally present in the state.
EFFECTIVE DATE: April 10, 2008.

Act 2008-129, SB164, continues the existence and functioning of the Board of Massage Therapy pursuant to the Alabama Sunset Law. The act also amends Section 34-43-9, Code of Alabama 1975, to require applicants for licensure to be United States citizens or legally present in the United States.
EFFECTIVE DATE: April 10, 2008.

Act 2008-130, SB166, continues the existence and functioning of the Board of Heating and Air Conditioning Contractors pursuant to the Alabama Sunset Law. The act also amends Sections 34-31-20 and 34-31-27, Code of Alabama 1975, to require applicants for licensure to be United States citizens or legally present in the United States.
EFFECTIVE DATE: April 10, 2008.

Act 2008-131, SB168, continues the existence and functioning of the Board of Court Reporting pursuant to the Alabama Sunset Law. The act also amends

Section 34-8B-10, Code of Alabama 1975, to require applicants for licensure to be United States citizens or legally present in the United States.
EFFECTIVE DATE: April 10, 2008.

Act 2008-132, SB169, continues the existence and functioning of the State Board of Podiatry pursuant to the Alabama Sunset Law. The act also amends Section 34-24-255, Code of Alabama 1975, to require applicants for licensure to be United States citizens or legally present in the United States.
EFFECTIVE DATE: April 10, 2008.

Act 2008-133, SB170, continues the existence and functioning of the State Board of Public Accountancy pursuant to the Alabama Sunset Law. The act also amends Sections 34-1-4, 34-1-11, and 34-1-12, Code of Alabama 1975, to require applicants for licensure to be United States citizens or legally present in the United States.
EFFECTIVE DATE: April 10, 2008.

Act 2008-134, SB171, continues the existence and functioning of the State Licensing Board for General Contractors pursuant to the Alabama Sunset Law. The act also amends Sections 34-8-2, 34-8-20, and 34-8-25, Code of Alabama 1975, to require applicants for licensure to be United States citizens or legally present in the United States, to require board members to be citizens of Alabama, and to allow the board to retain 33 percent of its budget for the previous year for emergency purposes.
EFFECTIVE DATE: April 10, 2008.

Act 2008-135, SB174, continues the existence and functioning of the Department of Insurance pursuant to the Alabama Sunset Law. The act also amends Section 27-2-7, Code of Alabama 1975, to require applicants for licensure to be United States citizens or legally present in the United States.
EFFECTIVE DATE: April 10, 2008.

Act 2008-136, SB175, continues the existence and functioning of the State Board of Social Work Examiners pursuant to the Alabama Sunset Law. The act also amends Sections 34-30-3, 34-30-22, and 34-30-50, Code of Alabama 1975, to require applicants for licensure to be United States citizens or legally present in the United States and to require board members to be citizens of this state.
EFFECTIVE DATE: April 10, 2008.

Act 2008-137, SB176, continues the existence and functioning of the State Board of Respiratory Therapy pursuant to the Alabama Sunset Law. The act also amends Sections 34-27B-3 and 34-27B-6, Code of Alabama 1975, to require applicants for licensure to be United States citizens or legally present in the United States and to decrease the amount of funds reverting to the State General Fund.
EFFECTIVE DATE: April 10, 2008.

Act 2008-138, SB178, continues the existence and functioning of the Board of Cosmetology pursuant to the Alabama Sunset Law. The act also amends Section 34-7A-7, Code of Alabama 1975, to require applicants for licensure to be United States citizens or legally present in the United States and to delete the requirement for submission of a certificate of health.
EFFECTIVE DATE: April 10, 2008.

Act 2008-139, SB179, continues the existence and functioning of the Public Service Commission pursuant to the Alabama Sunset Law.
EFFECTIVE DATE: April 10, 2008.

Act 2008-140, SB182, continues the existence and functioning of the Board of Examiners in Psychology pursuant to the Alabama Sunset Law. The act also amends Section 34-26-41, Code of Alabama 1975, to require applicants for licensure to be United States citizens or legally present in the United States.
EFFECTIVE DATE: April 10, 2008.

Act 2008-141, SB183, continues the existence and functioning of the Real Estate Commission pursuant to the Alabama Sunset Law. The act amends Sections 34-27-2, 34-27-30, 34-27-32, 34-27-33, 34-27-66, and 34-27-81, Code of Alabama 1975, to clarify that existing law applies to all lawfully created real estate business organizations, to clarify that the commission does not receive any of the examination fee, and to require applicants for licensure to be United States citizens or legally present in the United States. The act also changes the placement of Section 34-27-30.1, Code of Alabama 1975, by renumbering it as Section 11-51-132, Code of Alabama 1975.
EFFECTIVE DATE: April 10, 2008.

Act 2008-142, SB184, continues the existence and functioning of the Historical Commission pursuant to the Alabama Sunset Law. The act also amends Section 41-9-243, Code of Alabama 1975, to require commission members to be citizens of the state.
EFFECTIVE DATE: April 10, 2008.

Act 2008-143, SB186, continues the existence and functioning of the Board of Boilers and Pressure Vessels pursuant to the Alabama Sunset Law. The act also amends Section 25-12-3, Code of Alabama 1975, to require board members to be citizens of the state.
EFFECTIVE DATE: April 10, 2008.

Act 2008-144, SB187, continues the existence and functioning of the Board of Examiners of Assisted Living Administrators pursuant to the Alabama Sunset Law. The act also amends Section 34-2A-8, Code of Alabama 1975, to require

applicants for licensure to be United States citizens or legally present in the United States.

EFFECTIVE DATE: April 10, 2008.

Act 2008-145, SB188, continues the existence and functioning of the Office of Information Technology pursuant to the Alabama Sunset Law.

EFFECTIVE DATE: April 10, 2008.

Act 2008-146, SB194, continues the existence and functioning of the Commercial Mobile Radio Service Emergency Telephone Services Board pursuant to the Alabama Sunset Law. The act also amends Section 11-98-7, Code of Alabama 1975, to require board members to be citizens of the state.

EFFECTIVE DATE: April 10, 2008.

Act 2008-147, SB201, continues the existence and functioning of the Board of Examiners of Mine Personnel pursuant to the Alabama Sunset Law. The act also amends Sections 25-9-9 and 25-9-11, Code of Alabama 1975, to require applicants for licensure to be United States citizens or legally present in the United States and to require board members to be citizens of the state.

EFFECTIVE DATE: April 10, 2008.

Act 2008-148, SB332, continues the existence and functioning of the Plumbers and Gas Fitters Examining Board pursuant to the Alabama Sunset Law. The act also amends Sections 34-37-3 and 34-37-6, Code of Alabama 1975, to require applicants for licensure to be United States citizens or legally present in the United States and to require board members to be citizens of the state.

EFFECTIVE DATE: April 10, 2008.

Act 2008-151, HB395, amends Sections 22-27-1, 22-27-2, and 22-27-4, Code of Alabama 1975, and adds Sections 22-27-9, 22-27-10, 22-27-11, 22-27-12, 22-27-13, 22-27-14, 22-27-15, 22-27-16, 22-27-17, and 22-27-18 to the Code of Alabama 1975, relating to solid waste management. The act establishes a statewide program for solid waste management to be coordinated by the Department of Environmental Management and specifies certain duties of the Department of Environmental Management as the primary regulatory agency for solid waste management facilities and the Department of Public Health as the primary regulatory agency for the collection and transportation of solid waste. The act provides controls to eliminate unauthorized dumping and establishes a trust fund to pay the costs of investigation, required cleanup, and closure of unauthorized dumps. The act authorizes fees for disposal of solid waste within the state, the proceeds of which are to be used to fund the solid waste management programs administered by the Department of Environmental Management. The act also establishes a trust fund to provide for a grant program for local governments to develop, implement, and enhance recycling and waste minimization efforts, establishes minimum standards for solid waste reduction, minimization, and recycling, and provides penalties and other

enforcement remedies for violations. The act also provides for confidentiality for certain information.

EFFECTIVE DATE: April 15, 2008.

Act 2008-175, SB177, continues the existence and functioning of the Board of Examiners in Counseling pursuant to the Alabama Sunset Law. The act also amends Section 34-8A-4 and 34-8A-7, Code of Alabama 1975, to require that members of the board be citizens of this state and that applicants for licensure be United States citizens or legally present in the United States.

EFFECTIVE DATE: April 22, 2008.

Act 2008-271, HB172, amends Sections 27-14-3 and 27-17A-32, Code of Alabama 1975, relating to insurable interests and preneed contracts, to provide that, upon the written consent of a preneed contract purchaser or preneed contract beneficiary, the trustee of a preneed trust has an insurable interest in the life of such preneed contract purchaser or preneed contract beneficiary. The act provides that life insurance policies and annuities are permissible trustee investments of preneed contract funds. The act also provides for retroactive effect.

EFFECTIVE DATE: May 6, 2008.

Act 2008-272, HB417, creates the crime of unlawful operation of a recording device in a motion picture theater and provides misdemeanor and felony penalties for violations.

EFFECTIVE DATE: August 1, 2008.

Act 2008-275, HB234, is the Alternative and Renewable Energy Act of 2008. The act amends Sections 40-9B-3, 40-9B-4, 40-18-1, 40-18-70, 40-18-190, and 40-18-194, Code of Alabama 1975, and amends and renumbers Sections 40-17-100, 40-17-101, 40-17-102, 40-17-103, 40-17-104, 40-17-105, 40-17-106, 40-17-107, and 40-17-108, to make legislative findings, define terms, provide requirements relating to the Alabama Public Service Commission's approval of utility programs for the purchase of electricity from distributed generation facilities, and provide similar rules for the governing boards of certain other electric service suppliers. The act also provides tax credits and abatement for various energy-related expenditures and provides for review by the Department of Revenue.

EFFECTIVE DATE: May 8, 2008, except for Section 6, which is effective August 6, 2008.

Act 2008-276, HB8, adds Chapter 3C, consisting of Sections 19-3C-1 to 19-3C-10, inclusive, to Title 19, Code of Alabama 1975, the Uniform Prudent Management of Institutional Funds Act. The act provides for the management of the funds of a charitable institution. The act also repeals Chapter 61A, consisting

of Sections 16-61A-1 to 16-61A-8, inclusive, of Title 16, Code of Alabama 1975, relating to the management of institutional funds.

EFFECTIVE DATE: January 1, 2009.

Act 2008-277, HB28, relating to juvenile court proceedings, is the Alabama Juvenile Justice Act. The act adds, amends, renumbers, and repeals numerous code sections to provide further for the jurisdiction, procedures, and operation of the juvenile courts in this state, including delinquency and children in need of supervision proceedings, dependency and termination of parental rights proceedings, and proceedings involving involuntary commitment of children and the care of multiple needs children. The act also provides for appeals and specifies certain criminal penalties.

EFFECTIVE DATE: January 1, 2009, except for subdivision (1) of subsection (a) of Section 12-15-208 and paragraph b. of subdivision (3) of subsection (a) of Section 12-15-215, Code of Alabama 1975, which are effective on October 1, 2009.

Act 2008-278, HB105, amends Sections 41-11-3, 41-11-4, and 41-11-5, Code of Alabama 1975, relating to the Alabama Academy of Honor, to alter the nomination process for new members, provide for an executive committee to select a chair, conduct certain affairs, and provide for the time and place of meetings and a quorum. The act also repeals Section 41-11-6, Code of Alabama 1975, thereby removing the limitation on the annual appropriation.

EFFECTIVE DATE: August 1, 2008.

Act 2008-279, HB205, relating to the practice of dentistry, is the Alabama Mobile Access to Dental Care Act. The act authorizes the operation of mobile dental facilities or portable dental operations under the authority of the Board of Dental Examiners of Alabama.

EFFECTIVE DATE: June 7, 2008.

Act 2008-280, HB396, relating to the State of Alabama Retirement Systems, amends Section 36-29-1, Code of Alabama 1975, to add certain employees of the Alabama State Port Authority to the definition of "retiree"; and to revise the definition of "years of service" so as to authorize the State Employees' Insurance Board to determine the years of creditable service for such periods of time that an employee of the Alabama State Port Authority was employed as a Merit System and as a non-Merit System employee.

EFFECTIVE DATE: August 1, 2008.

Act 2008-281, HB398, amends Sections 16-23-3 and 16-23-4, Code of Alabama 1975, to remove certain requirements necessary to obtain an alternative certificate issued by the State Superintendent of Education and to increase the public school certificate application fee.

EFFECTIVE DATE: May 8, 2008.

Act 2008-282, HB467, amends Section 36-27-23, Code of Alabama 1975, relating to the election of members of the Board of Control of the Retirement Systems of Alabama, to provide for active state employees who are candidates for the Board of Control to be elected in a statewide ballot conducted by the Secretary-Treasurer just as retired state employees are elected.
EFFECTIVE DATE: May 8, 2008.

Act 2008-283, HB255, proposes an amendment to the Constitution of Alabama of 1901, pertaining only to Etowah County, to authorize certain elected officials to participate in the Employees' Retirement System in lieu of a supernumerary program.
EFFECTIVE DATE: Contingent upon ratification.

Act 2008-284, HB271, proposes an amendment to the Constitution of Alabama of 1901, pertaining only to Shelby County, to provide for the reorganization of the county board of equalization, the appointment, term, and compensation of board members, and the powers, duties, operation, and funding of the board.
EFFECTIVE DATE: Contingent upon ratification.

Act 2008-285, HB337, proposes an amendment to the Constitution of Alabama of 1901, pertaining only to Blount County, to prohibit any municipality that is not wholly or in part within the boundaries of Blount County from annexing any territory within Blount County without the approval of the electorate of Blount County in a referendum.
EFFECTIVE DATE: Contingent upon ratification.

Act 2008-286, HB559, proposes an amendment to the Constitution of Alabama of 1901, pertaining only to St. Clair County, to authorize certain elected officials to participate in the Employees' Retirement System in lieu of a supernumerary program.
EFFECTIVE DATE: Contingent upon ratification.

Act 2008-287, HB528, proposes an amendment to the Constitution of Alabama of 1901, pertaining only to Russell County, to require any sale or transfer of the water and sewer system in the City of Phenix City to be approved by referendum election.
EFFECTIVE DATE: Contingent upon ratification.

Act 2008-288, HB479, proposes an amendment to the Constitution of Alabama of 1901, pertaining only to Russell County, to authorize the Legislature by local law to fix, alter, and regulate court costs and to ratify prior local laws.
EFFECTIVE DATE: Contingent upon ratification.

Act 2008-289, HB681, proposes an amendment to the Constitution of Alabama of 1901, pertaining only to Blount County, to authorize the county commission to

levy an additional issuance fee on motor vehicle license tags and to provide for distribution of the proceeds for road improvements.

EFFECTIVE DATE: Contingent upon ratification.

Act 2008-290, HB695, proposes an amendment to the Constitution of Alabama of 1901, pertaining only to Geneva County, to authorize an additional court cost and a document service fee on certain civil and criminal cases in the circuit and district courts to fund the planning, design, construction, financing, furnishing, and equipping of a new jail and the operation of the present jail and the operation of the sheriff's office.

EFFECTIVE DATE: Contingent upon ratification.

Act 2008-291, HB761, proposes an amendment to the Constitution of Alabama of 1901, pertaining only to Marshall County, to authorize certain elected officials, including the sheriff, to participate in the Employees' Retirement System in lieu of a supernumerary program.

EFFECTIVE DATE: Contingent upon ratification.

Act 2008-292, HB830, proposes an amendment to the Constitution of Alabama of 1901, pertaining only to Conecuh County, to require the county commission to continue to levy an ad valorem tax in the amount of nine and one-half mills on each dollar of taxable property to be used for public school purposes in the county and to provide for the termination of the tax after twenty years and to repeal certain ad valorem taxes previously levied for public school purposes in the county.

EFFECTIVE DATE: Contingent upon ratification.

Act 2008-293, HB875, proposes an amendment to the Constitution of Alabama of 1901, pertaining only to Macon County, to amend Amendment 591 (Section 11, Macon County, Local Amendments, Official Recompilation of the Constitution of Alabama of 1901, as amended), relating to the election of two persons to the utilities board of the City of Tuskegee, to provide that the election be conducted by the utilities board and to provide for the term of office, procedure for the filling of vacancies, and compensation of the board. The act also specifies who may vote in the election.

EFFECTIVE DATE: Contingent upon ratification.

Act 2008-294, HB885, proposes an amendment to the Constitution of Alabama of 1901, pertaining only to Winston County, to repeal Amendment 255 (Section 3, Winston County, Local Amendments, Official Recompilation of the Constitution of Alabama of 1901, as amended), requiring a referendum approving any special or local law.

EFFECTIVE DATE: Contingent upon ratification.

Act 2008-295, HB882, proposes an amendment to the Constitution of Alabama of 1901, pertaining only to Baldwin County, to authorize the State Revenue

Commissioner to appoint additional members to the board of equalization to hear objections to assessments and to provide for the qualifications, term, and compensation of the appointees.

EFFECTIVE DATE: Contingent upon ratification.

Act 2008-336, SB482, amends Section 32-9A-2, Code of Alabama 1975, as amended by Act 2007-298 of the 2007 Regular Session (Acts 2007, p. 536), relating to commercial motor vehicles, to provide that certain federal motor carrier regulations are applicable to commercial motor vehicles operating in the state, to remove certain exemptions for commercial motor vehicles operated in intrastate commerce under certain conditions, and to further provide for an exemption for commercial motor vehicles having a gross vehicle weight or combination weight of 26,000 pounds or less operated in intrastate commerce unless the commercial motor vehicle is used to transport passengers under certain conditions or to carry hazardous waste.

EFFECTIVE DATE: May 13, 2008.

Act 2008-376, HB39, is the Uniform Parentage Act. The act repeals Chapter 17 of Title 26, Code of Alabama 1975, consisting of Sections 26-17-1 to 26-17-22, inclusive, and replaces it with a new Chapter 17 to provide a comprehensive procedure for establishing the parentage of a child. The act requires confidentiality of certain documents and specimens and provides criminal penalties for breaches, provides for genetic testing, provides for establishing parentage of the child of an assisted reproduction, and provides for full faith and credit of parentage orders from other states.

EFFECTIVE DATE: January 1, 2009.

Act 2008-377, HB43, amends Section 40-18-15, Code of Alabama 1975, relating to income tax deductions for individuals, to provide a deduction for contributions made subsequent to December 31, 2006, to the Alabama Prepaid Affordable College Tuition Program or the Alabama College Education Savings Program and to provide a recapture provision for nonqualified withdrawals.

EFFECTIVE DATE: August 1, 2008.

Act 2008-378, HB420, amends Sections 34-24-297 and 34-24-302, Code of Alabama 1975, relating to the licensure of an assistant to physician, to require a criminal history background check for applicants for licensure as an assistant to physician in Alabama, to require a criminal history background check for certain investigations by the Board of Medical Examiners, and to provide for the establishment and implementation of procedures of the Board of Medical Examiners restricting the license of an assistant to physician as it pertains to the physical or mental capability of practicing as an assistant to physician with reasonable skill and safety to patients.

EFFECTIVE DATE: August 1, 2008, except subdivision (5) of Section 34-24-297, Code of Alabama 1975, which is effective October 1, 2008.

Act 2008-379, HB442, amends Sections 41-16-50, 41-16-54, 41-16-55, and 41-16-57, Code of Alabama 1975, relating to competitive bidding on contracts of certain state and local agencies, to increase the minimum amount of contracts subject to competitive bid from \$7,500 to \$15,000; to include city and county boards of education in the list of awarding authorities that may establish local preference zones; to make permissive the furnishing of a bid bond by a bidder; to exempt from competitive bidding requirements purchases made by city and county boards of education under certain joint purchasing agreements; to authorize an awarding authority to make purchases or contracts through a reverse auction procedure; to provide for the award of the remainder of an award period to the second lowest responsible bidder in the event of the default of the lowest responsible bidder; and to specify that the lowest responsible bid may be the bid offering the lowest life-cycle costs.
EFFECTIVE DATE: August 1, 2008.

Act 2008-380, HB327, appropriates \$1,101,348 from the State General Fund to the Children's Advocacy Programs in Alabama for the fiscal year ending September 30, 2009.
EFFECTIVE DATE: October 1, 2008.

Act 2008-381, HB329, appropriates \$250,000 from the State General Fund to the Alabama Kidney Foundation, Inc. for the fiscal year ending September 30, 2009.
EFFECTIVE DATE: October 1, 2008.

Act 2008-382, HB59, relating to Class III shortline railroads in Alabama, authorizes the Alabama Department of Transportation to administer a statewide comprehensive program of shortline railroad rehabilitation and improvement based on a statewide report of shortline railroads indicating rehabilitation funding needs, creates the Shortline Railroad Infrastructure Rehabilitation Fund, and provides that the department may make grants and no-cost loans to local railroad authorities to rehabilitate shortline railroads.
EFFECTIVE DATE: May 16, 2008.

Act 2008-383, HB296, prohibits a municipality or political subdivision from imposing a fee on signs advertising real property for sale by real estate licensees.
EFFECTIVE DATE: August 1, 2008.

Act 2008-384, HB677, amends Sections 9-1-1, 9-1-3, 9-1-4, 9-11-59, 9-11-61, 9-11-63, 9-11-84, 9-11-86, 9-11-87, 9-11-88, 9-11-91, 9-11-93, 9-11-94, 9-11-176, 9-11-198, 9-11-232, 9-11-235, 9-11-236, 9-11-241, 9-11-242, 9-11-255, 9-11-257, 9-11-261, Code of Alabama 1975, to increase the fines for certain game and fish violations and to designate as a Class C misdemeanor all violations not otherwise classified. The act also adds Section 9-11-56.3 to the Code of

Alabama 1975, to provide for the licensure of public fishing piers and for a saltwater pier fishing license.

EFFECTIVE DATE: August 1, 2008.

Act 2008-385, HB165, amends Section 16-25-11.6, Code of Alabama 1975, relating to the purchase of credit in the Teachers' Retirement System for employment at a school operated by the Department of Defense, to remove the date restriction and allow any current member who was employed at a school operated by the Department of Defense to receive credit for and purchase the prior years service at a rate determined by the system's actuary.

EFFECTIVE DATE: May 16, 2008.

Act 2008-387, SB133, relating to mediation, provides that a mediator may not be compelled to testify or to produce documents concerning mediation proceedings.

EFFECTIVE DATE: May 16, 2008.

Act 2008-388, SB300, amends Section 27-14-11.1, Code of Alabama 1975, relating to health insurers and health benefit plans, to further define health insurers and to require each provider of a health insurer or health benefit plan to provide certain information concerning coverage to the Medicaid Agency as a condition of doing business in this state.

EFFECTIVE DATE: August 1, 2008.

Act 2008-389, SB354, amends Section 22-21-33, Code of Alabama 1975, relating to the penalties for the operation of an unlicensed hospital, to further provide for the penalties for operating an unlicensed hospital and to create a civil penalty for referring a person in need of care to an unlicensed hospital or for providing care to a person in an unlicensed hospital under certain conditions.

EFFECTIVE DATE: May 16, 2008.

Act 2008-390, SB358, amends Sections 38-9-2, 38-9-6 and 38-9-7, Code of Alabama 1975, to further define the term "exploitation," to authorize courts to enter orders giving the Department of Human Resources more time to locate placements for persons living in unlicensed facilities, and to authorize the department to establish an interagency placement coordinating council to place persons who are in unlicensed facilities into licensed facilities.

EFFECTIVE DATE: August 1, 2008.

Act 2008-391, SB3, amends Section 27-31B-3, Code of Alabama 1975, relating to captive insurance companies, to provide for homeowner's insurance coverage under certain circumstances. The act also adds Chapter 31C, consisting of Sections 27-31C-1 to 27-31C-9, inclusive, to Title 27, Code of Alabama 1975, the Alabama Coastal Captive Insurance Company Act, to provide for homeowners insurance coverage as limited in subdivision (4) of subsection (a) of Section 27-31B-3, Code of Alabama 1975.

EFFECTIVE DATE: August 1, 2008.

Act 2008-392, SB296, relating to the beach pool insurance plan created by administrative regulation of the Department of Insurance, codifies the administrative procedure regulations of the Alabama Insurance Underwriting Association along with its articles of agreement, plan of operation, and rules and procedures as they existed on January 1, 2008.
EFFECTIVE DATE: November 1, 2008.

Act 2008-393, SB4, amends Sections 32-7-2, 32-7-6, 32-7-16, and 32-7-22, Code of Alabama 1975, relating to motor vehicle insurance, to increase the minimum limits of motor vehicle liability insurance required of a motor vehicle owner.
EFFECTIVE DATE: August 30, 2008, for policies of new business, and November 28, 2008, for renewal policies.

Act 2008-394, SB67, establishes the Legislative Youth Advisory Council and the Legislative Youth Advisory Oversight Commission, provides for membership, duties, responsibilities, and funding of the council and the commission, and establishes criteria and goals for communicating to the Legislature issues important to youths.
EFFECTIVE DATE: August 1, 2008.

Act 2008-395, SB365, amends Section 25-5-50, Code of Alabama 1975, relating to workers' compensation coverage, to remove the exemption of certain independent contractors.
EFFECTIVE DATE: August 1, 2008.

Act 2008-396, SB147, amends Section 25-4-8, Code of Alabama 1975, relating to unemployment compensation, to provide further for the recalculation of unemployment rates when there is a transfer to an employer in which there is substantial common ownership, management, or control with the employer making the transfer.
EFFECTIVE DATE: May 16, 2008.

Act 2008-397, HB370, amends Sections 34-24-70, 34-24-337, 34-24-343, 34-24-361, 34-24-367, and 34-24-380, Code of Alabama 1975, relating to Medical Licensure, to provide for a criminal background check for applicants for medical licensure and for reinstatement of licenses, to provide further for exemptions from examinations for certain applicants for licensure, to provide for a criminal background check for certain investigations, and to provide for judicial review of decisions of the Medical Licensure Commission and the Board of Medical Examiners.
EFFECTIVE DATE: August 1, 2008, except for subdivision (5) of Section 34-24-70 and subsection (d) of Section 34-24-37, which are effective October 1, 2008.

Act 2008-398, HB443, amends Sections 38-3-5 and 38-3-6, Code of Alabama 1975, relating to the Department of Senior Services, to rename the executive director as commissioner and to further provide for the powers and responsibilities of the department. The act also amends and renumbers Article 28 of Chapter 9 of Title 41, comprised of Sections 41-9-740 to 41-9-745, inclusive, as Article 2 of Chapter 3 of Title 38, comprised of Sections 38-3-20 to 38-3-25, inclusive, relating to the Alabama Senior Citizens Hall of Fame, to remove obsolete language concerning the initial election committee and to specify that the Department of Senior Services shall fund costs and expenses of the hall of fame and specify expense amounts. The act also adds Sections 38-3-8 and 38-3-9 to the Code of Alabama 1975, to provide further for the rules of operation of the department.
EFFECTIVE DATE: May 16, 2008.

Act 2008-407, HB341, authorizes the city council of a Class 1 municipality to increase the compensation of its members for the next term of office and provides a salary increase for the mayor of a Class 1 municipality for the next term of office.
EFFECTIVE DATE: May 16, 2008.

Act 2008-450, HB590, amends Sections 9-17-1, 9-17-6, and 9-17-12, Code of Alabama 1975, relating to the amount of allowable production from oil and gas fields by the Alabama Oil and Gas Board, to provide further for the establishment of oil and gas fields, drainage or production units, drilling units, and spacing requirements for wells and to require the board to establish special field rules for oil and gas pools and amend field rules for production from shale natural gas reservoirs and coalbed methane reservoirs to provide additional wells for efficient drainage.
EFFECTIVE DATE: August 1, 2008.

Act 2008-451, HB323, appropriates \$550,000 from the State General Fund to the Coalition Against Domestic Violence for the fiscal year ending September 30, 2009.
EFFECTIVE DATE: October 1, 2008.

Act 2008-452, HB778, proposes an amendment to the Constitution of Alabama of 1901, pertaining only to Baldwin County, to authorize the county commission to adopt ordinances related to the control and use of certain county owned property in the same manner as municipalities may adopt local ordinances and to provide for penalties not to exceed the penalties for a Class C misdemeanor.
EFFECTIVE DATE: Contingent upon ratification.

Act 2008-453, HB476, adds Article 9, consisting of Sections 22-19-160 to 22-19-184, inclusive, to Chapter 19 of Title 22, Code of Alabama 1975, the Revised Uniform Anatomical Gift Act, to specify the persons who may make anatomical gifts and to provide a procedure for making, amending, revoking, or refusing to

make an anatomical gift. The act prohibits the sale or purchase of body parts and provides criminal penalties for violations, provides for a donor registry, provides for anatomical gifts made by an advance health care directive, and provides for cooperation between coroners, medical examiners, district attorneys, and local health officials and procurement organizations. The act also repeals Article 3A, consisting of Sections 22-19-50 to 22-19-59.7, inclusive, of Chapter 19, Title 22, Code of Alabama 1975.

EFFECTIVE DATE: November 1, 2008.

Act 2008-460, HB124, increases the maximum assessment by the Alabama Insurance Guaranty Association for workers' compensation insurance.

EFFECTIVE DATE: May 19, 2008.

Act 2008-466, HB328, is the General Fund Budget. The act makes appropriations for the ordinary expenses of the executive, legislative, and judicial departments for the fiscal year ending September 30, 2009.

EFFECTIVE DATE: October 1, 2008.

Act 2008-467, SB385, requires the Department of Conservation and Natural Resources to establish and administer a program to acquire and retire net and seine permits issued to saltwater commercial fishermen in Alabama, requires the department to provide for a program of economic relief for resident saltwater commercial fishermen under certain conditions, prohibits the possession and use of nets in salt and brackish waters of the state with certain specified exceptions, levies a temporary surcharge on resident and nonresident saltwater fishing licenses, and amends Section 9-12-113, Code of Alabama 1975, to further provide for certain penalties. The act also creates the Marine Resources Restoration Fund in the State Treasury and provides for the expenditure of the fund.

EFFECTIVE DATE: June 1, 2008.

Act 2008-480, SB239, amends Sections 36-30-1, 36-30-2, 36-30-3, 36-30-4, and 36-30-5, Code of Alabama 1975, relating to death benefits for peace officers and firefighters, to provide that a peace officer or a firefighter may designate the beneficiary or beneficiaries who will receive the death benefits payable if that peace officer or firefighter is killed in the performance of his or her duties, to require that the compensation amounts provided be adjusted for inflation, to extend the time period that certain claimants affected by this act may present claims to the awarding authority, and to provide that this act is retroactive to January 1, 2006.

EFFECTIVE DATE: May 29, 2008.

Act 2008-481, SB477, amends Section 11-41-8, Code of Alabama 1975, as last amended by Act 2007-385, to validate any attempted incorporation of a municipality after 1990 and any extension of corporate benefits of such a municipality.

EFFECTIVE DATE: May 29, 2008.

Act 2008-482, SB556, amends Section 11-99-4, Code of Alabama 1975, as amended by Act 2007-204, to increase the percent of total value of equalized taxable property for all tax increment districts created by the municipal governing body of a Class 3 municipality.

EFFECTIVE DATE: May 29, 2008.

Act 2008-483, SB344, directs the Code Commissioner to avoid and replace references to certain individuals with disabilities, mental illness, mental retardation, and deafness, preserves the validity of statutes affected, and requires similar action concerning rules of administrative agencies.

EFFECTIVE DATE: August 1, 2008.

Act 2008-484, SB519, amends Sections 32-6-150 and 32-6-156.1, Code of Alabama 1975, relating to the "Protect Our Environment" distinctive license plate, to require that the net tag proceeds be allocated directly to Legacy, Inc., a nonprofit organization, and to provide for distribution by the state Comptroller to Legacy, Inc. The act also adds Section 32-6-155.1 to the Code of Alabama 1975, to permit the Legacy Board of Directors to establish and maintain a trust fund and to remove the Alabama Department of Environmental Management from the environmental tag fee appropriation process.

EFFECTIVE DATE: October 1, 2008.

Act 2008-500, HB427, amends Section 25-4-72, Code of Alabama 1975, relating to unemployment compensation weekly benefits, to increase the maximum unemployment benefits for benefit years which begin on or after July 6, 2008, and to increase the maximum unemployment benefits for benefit years which begin on or after July 5, 2009. The act also provides for funding for the administration of the unemployment compensation statutes and the public employment offices.

EFFECTIVE DATE: May 29, 2008.

Act 2008-501, HB428, amends Sections 25-4-40.1, 25-4-54, and 25-4-73, Code of Alabama 1975, relating to the expiration date of the special assessment to fund the Employment Security Enhancement Fund, to extend the expiration date of the special assessment to September 30, 2010, and to establish a waiting week without benefits after the 13th week of benefits.

EFFECTIVE DATE: May 29, 2008.

Act 2008-502, HB472, amends Sections 10-4-115 and 27-21A-23, Code of Alabama 1975, to require insurance companies, health maintenance organizations, and health benefit plans to offer coverage for chiropractic care.

EFFECTIVE DATE: October 1, 2008.

Act 2008-503, HB481, is the Post-Employment Benefits Act. The act authorizes any political subdivision of the state to establish irrevocable trusts to fund post-employment benefits for retired employees.

EFFECTIVE DATE: May 29, 2008.

Act 2008-504, HB357, requires nonresidents to withhold and remit to the Department of Revenue income tax on certain sales or transfers of real property in Alabama.

EFFECTIVE DATE: August 1, 2008.

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Act 2008-506, HB45, proposes an amendment to Amendment 781 to the Constitution of Alabama of 1901 (Section 16, Local Amendments, Baldwin County, Official Recompilation of the Constitution of Alabama of 1901, as amended), pertaining only to Baldwin County, to further provide for exclusions from the definition of wastewater system for purposes of regulation of wastewater utilities by the county.

EFFECTIVE DATE: Contingent upon ratification.

Act 2008-507, HB58, proposes an amendment to the Constitution of Alabama of 1901, pertaining only to Baldwin County, to authorize the Legislature to provide by local law for the formation by county and municipal governing bodies of a public corporation to manage storm water and levy a storm water service charge on property containing impervious surface areas, exempting agricultural and forestry property.

EFFECTIVE DATE: Contingent upon ratification.

Act 2008-508, SB14, proposes an amendment to the Constitution of Alabama of 1901, to repeal Amendment 709 (Section 260.01, Official Recompilation of the Constitution of Alabama of 1901, as amended). The proposed amendment reestablishes the Education Trust Fund Rainy Day Account and establishes the General Fund Rainy Day Account. The proposed amendment also credits to the Education Trust Fund Rainy Day Account and the General Fund Rainy Day Account within the Alabama Trust Fund an amount required to fund withdrawals from the accounts and to provide for the transfer of additional amounts to the County and Municipal Government Capital Improvement Trust Fund.

EFFECTIVE DATE: Contingent upon ratification.

Act 2008-543, HB62, amends Sections 10-13-21, 40-18-1, and 40-18-35, Code of Alabama 1975, to define the term "Captive REIT" and to limit Captive REITs to the preferential dividend treatment afforded ordinary REITs for the purpose of Alabama's corporate income tax, to clarify certain exceptions in the original add-

back provisions, and to require the Department of Revenue to waive certain penalties.

EFFECTIVE DATE: June 9, 2009, for all tax years beginning after December 31, 2006.

Act 2008-544, HB63, amends Section 40-1-32.1, Code of Alabama 1975, relating to the Education Trust Fund Proration Prevention Account, to increase the amount appropriated to the account from ending balances in the Education Trust Fund.

EFFECTIVE DATE: September 1, 2008.

Act 2008-545, HB64, provides for the withdrawal of all remaining funds from the Education Trust Fund Proration Prevention Account and the transfer of the funds to the Education Trust Fund.

EFFECTIVE DATE: October 1, 2008.

Act 2008-546, HB53, appropriates \$53,881,470 from the Children First Trust Fund for the fiscal year ending September 30, 2009, to the entities and for the purposes designated in Section 41-15B-2.2, Code of Alabama 1975, provides for the deposit of tobacco settlement revenues into the Children First Trust Fund, requires written notification of anticipated agency allocations by the State Director of Finance, requires quarterly allocations conditioned on receipt of tobacco revenues, appropriates \$52,493,077 from other tobacco settlement funds for the fiscal year ending September 30, 2009, and makes a conditional appropriation and allocation of additional tobacco revenues upon the recommendation of the Director of Finance, the Chairman of the House Government Appropriations Committee, and the Chairman of the Senate Finance and Taxation-General Fund Committee and the approval of the Governor.

EFFECTIVE DATE: June 9, 2008.

Act 2008-547, HB54, makes various supplemental appropriations for the fiscal year ending September 30, 2008, from various funds to various departments and agencies.

EFFECTIVE DATE: June 9, 2008.

Act 2008-548, HB59, provides for transfer to the State General Fund during fiscal year 2009 that portion of Children First Trust Fund receipts currently allocated for the State Board of Education.

EFFECTIVE DATE: June 9, 2008.

Act 2008-549, HB56, excludes from Alabama individual income taxation any federal tax credits resulting from the federal Economic Stimulus Act of 2008.

EFFECTIVE DATE: June 9, 2008.

Act 2008-550, SB15, is the Alabama Medical Furlough Act. The act establishes a procedure for the discretionary medical furlough of state inmates convicted on non-capital felony offenses.

EFFECTIVE DATE: September 1, 2008.

Act 2008-551, SB50, establishes the Alabama Veterans Living Legacy Act to remember and honor veterans and provides for administration by the Citizenship Trust at the American Village. The act also creates within the trust a fund for receipt and disbursement of certain public funds assessed, designated, and appropriated to the trust for the benefit of the legacy and creates a Permanent Joint Legislative Oversight Committee on Alabama's Veterans Living Legacy.

EFFECTIVE DATE: September 1, 2008.

Act 2008-552, SB51, is the Education Budget. The act makes appropriations for the support, maintenance, and development of public education for the fiscal year ending September 30, 2009.

EFFECTIVE DATE: October 1, 2008.

Act 2008-553, SB64, appropriates \$53,881,470 from the Children First Trust Fund for the fiscal year ending September 30, 2009, to the entities and for the purposes designated in Section 41-15B-2.2, Code of Alabama 1975, provides for the deposit of tobacco settlement revenues into the Children First Trust Fund, requires written notification of anticipated agency allocations by the State Director of Finance, requires quarterly allocations conditioned on receipt of tobacco revenues, appropriates \$52,493,077 from other tobacco settlement funds for the fiscal year ending September 30, 2009, and makes a conditional appropriation and allocation of additional tobacco revenues upon the recommendation of the Director of Finance, the Chairman of the House Government Appropriations Committee, and the Chairman of the Senate Finance and Taxation-General Fund Committee and the approval of the Governor.

EFFECTIVE DATE: June 9, 2008.

Act 2008-554, SB104, provides for personalized God Bless America distinctive license plates for an annual additional fee of \$50 and provides for the distribution of the fee to the Alabama Veterans Living Legacy.

EFFECTIVE DATE: September 1, 2008.

Act 2008-555, SB108, provides for a funded one-time lump-sum addition to the retirement benefits of certain retirees and beneficiaries of the Employees' Retirement System.

EFFECTIVE DATE: October 1, 2008.

Act 2008-556, SB110, appropriates \$292,760 from the Education Trust Fund to Lyman Ward Military Academy in Camp Hill, Alabama, for the fiscal year ending September 30, 2009.

EFFECTIVE DATE: October 1, 2008.

Act 2008-557, SB113, appropriates \$985,009 from the Education Trust Fund to Talladega College in Talladega, Alabama, for the fiscal year ending September 30, 2009.

EFFECTIVE DATE: October 1, 2008.

Act 2008-558, SB114, appropriates \$11,876,531 from the Education Trust Fund to Tuskegee University in Tuskegee, Alabama, for the fiscal year ending September 30, 2009.

EFFECTIVE DATE: October 1, 2008.

Act 2008-559, HB61, increases the income tax deductions allowed for health insurance premiums paid by qualifying small businesses and their employees.

EFFECTIVE DATE: June 10, 2008.